



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1311 be amended to read as follows:

- 1 Page 3, line 25, after "beer" insert "**in a calendar year**".
- 2 Page 3, line 26, after "title." insert "**The total number of barrels of**
- 3 **beer that the permit holder may sell and deliver under this clause**
- 4 **in a calendar year may not exceed thirty thousand (30,000) barrels**
- 5 **of beer.**".
- 6 Page 7, line 29, strike "for a brewery described in".
- 7 Page 7, line 30, strike "IC 7.1-3-2-7(5)." and insert "**issued under**
- 8 **IC 7.1-3-2-2(b).**".
- 9 Page 8, between lines 2 and 3, begin a new paragraph and insert:
- 10 "SECTION 10. IC 7.1-3-27-6, AS AMENDED BY P.L.70-2014,
- 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2015]: Sec. 6. (a) A holder of an artisan distiller's permit may
- 13 also hold one (1) of the following:
- 14 (1) A farm winery permit.
- 15 (2) A brewer's permit ~~for a brewery described in IC 7.1-3-2-7(5).~~
- 16 **issued under IC 7.1-3-2-2(b).**
- 17 (3) A distiller's permit under IC 7.1-3-7.
- 18 (b) A holder of an artisan distiller's permit who also holds a permit
- 19 described under subsection (a)(2) may hold a beer retailer's permit, a
- 20 wine retailer's permit, or a liquor retailer's permit for a restaurant as
- 21 described in IC 7.1-3-2-7(5)(C).

SECTION 11. IC 7.1-3-27-13, AS AMENDED BY P.L.159-2014, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 13. (a) This section applies only to a person who:

- (1) holds an artisan distiller's permit; and
- (2) holds an interest in a brewer's permit ~~for a brewery described in IC 7.1-3-2-7(5):~~ **issued under IC 7.1-3-2-2(b).**

(b) An artisan distiller may:

- (1) serve samples of liquor that the artisan distiller manufactures; and
- (2) sell bottles and cases of liquor that the artisan distiller manufactures;

on the licensed premises where the beer is manufactured only if the beer is manufactured on the same premises where the artisan distiller manufactures liquor.

(c) A person to whom this section applies who knowingly or intentionally violates this section commits a Class B misdemeanor."

Page 8, line 19, strike "for the".

Page 8, line 20, strike "manufacture of not more than".

Page 8, line 20, delete "ninety".

Page 8, line 21, delete "thousand (90,000)".

Page 8, line 21, strike "barrels of beer in a calendar year for sale or".

Page 8, line 22, strike "distribution within Indiana" and insert **"described in IC 7.1-3-2-2(b)".**

Page 8, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 14. IC 7.1-5-3-1, AS AMENDED BY P.L.159-2014, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) This section does not apply to the following:

- (1) An establishment where alcoholic beverages are sold that is owned, in whole or part, by an entity that holds a brewer's permit ~~for a brewery described under IC 7.1-3-2-7(5):~~ **issued under IC 7.1-3-2-2(b).**

- (2) An establishment where alcoholic beverages are sold that is owned, in whole or part, by a statewide trade organization consisting of members, each of whom holds a brewer's permit ~~for a brewery described under IC 7.1-3-2-7(5):~~ **issued under IC 7.1-3-2-2(b).**

(b) Except as provided in section 6 of this chapter, it is unlawful to sell beer in this state at retail in a bottle, can, or other container, unless the bottle, can, or other container was packaged and sealed by the brewer at the brewer's bottling house contiguous or adjacent to the brewery in which the beer was produced.

(c) A person who knowingly or intentionally violates subsection (b) commits a Class B misdemeanor.

SECTION 15. IC 7.1-5-3-4, AS AMENDED BY P.L.159-2014, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) This section does not apply to the following:

(1) The necessary refilling of a container by a person holding a permit that authorizes the person to manufacture, rectify, or bottle liquor.

(2) An establishment where alcoholic beverages are sold that is owned, in whole or part, by an entity that holds a brewer's permit ~~for a brewery described under IC 7.1-3-2-7(5).~~ **issued under IC 7.1-3-2-2(b).**

(3) An establishment where alcoholic beverages are sold that is owned, in whole or part, by a statewide trade organization consisting of members, each of whom holds a brewer's permit ~~for a brewery described under IC 7.1-3-2-7(5).~~ **issued under IC 7.1-3-2-2(b).**

(4) The refilling of a bottle or container or possession of a refilled bottle or container if the refilling or possession is not for resale or another commercial purpose.

(b) Except as provided in section 6 of this chapter, it is unlawful for a person to:

(1) refill a bottle or container, in whole or in part, with an alcoholic beverage; or

(2) knowingly possess a bottle or container that has been refilled, in whole or in part, with an alcoholic beverage;

after the container of liquor has been emptied in whole or in part.

(c) A person who knowingly or intentionally violates subsection (a) or (b) commits a Class B misdemeanor."

Page 8, line 26, after "manufactures" insert **"at any one (1) brewery"**.

Page 8, between lines 32 and 33, begin a new paragraph and insert:
"SECTION 17. IC 7.1-5-9-6, AS AMENDED BY P.L.159-2014, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) It is unlawful for the holder of a distiller's, rectifier's, or liquor wholesaler's permit to have an interest in a beer permit of any type under this title. This section does not apply to the holder of an artisan distiller's permit that has an interest in a brewer's permit ~~under IC 7.1-3-2-7(5).~~ **issued under IC 7.1-3-2-2(b).**

(b) A person who knowingly or intentionally violates this section commits a Class B misdemeanor."

Page 8, line 42, strike "for a brewery that manufactures not more".

Page 9, line 1, strike "than".

Page 9, line 1, delete "ninety thousand (90,000)".

Page 9, line 1, strike "barrels".

Page 9, strike line 2, and insert **"issued under IC 7.1-3-2-2(b);"**.

Page 9, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 19. IC 9-21-4-5, AS AMENDED BY P.L.94-2008, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) Except as provided in subsection (b), a person may not place or maintain upon a highway a traffic sign or

1 signal bearing commercial advertising. A public authority may not
 2 permit the placement of a traffic sign or signal that bears a commercial
 3 message.

4 (b) Under criteria to be jointly established by the Indiana
 5 department of transportation and the office of tourism development, the
 6 Indiana department of transportation may authorize the posting of any
 7 of the following:

8 (1) Limited tourist attraction signage.

9 (2) Business signs on specific information panels on the interstate
 10 system of highways and other freeways.

11 All costs of manufacturing, installation, and maintenance to the Indiana
 12 department of transportation for a business sign posted under this
 13 subsection shall be paid by the business.

14 (c) Criteria established under subsection (b) for tourist attraction
 15 signage must include a category for a tourist attraction that:

16 (1) is a trademarked destination brand; and

17 (2) encompasses buildings, structures, sites, or other facilities that
 18 are:

19 (A) listed on the National Register of Historic Places
 20 established under 16 U.S.C. 470 et seq.; or

21 (B) listed on the register of Indiana historic sites and historic
 22 structures established under IC 14-21-1;

23 regardless of the distance of the tourist attraction from the highway on
 24 which the tourist attraction signage is placed.

25 (d) Criteria established under subsection (b) for tourist attraction
 26 signage must include a category for a tourist attraction that is an
 27 establishment ~~licensed under IC 7.1-3-2-7(5)~~. **issued a brewer's**
 28 **permit under IC 7.1-3-2-2(b).**

29 (e) A person may not place, maintain, or display a flashing, a
 30 rotating, or an alternating light, beacon, or other lighted device that:

31 (1) is visible from a highway; and

32 (2) may be mistaken for or confused with a traffic control device
 33 or for an authorized warning device on an emergency vehicle.

34 (f) This section does not prohibit the erection, upon private property
 35 adjacent to highways, of signs giving useful directional information and
 36 of a type that cannot be mistaken for official signs."

37 Renumber all SECTIONS consecutively.

(Reference is to HB 1311 as printed February 17, 2015.)

Representative Clere